

**REAL ESTATE APPRAISERS BOARD  
MINUTES  
MADISON, WISCONSIN  
APRIL 26, 2000**

**PRESENT:** Paul "Rick" Vozar, Patrick Buckett, Gary Cuskey, LaMarr Franklin, Lill Hauschild, and Mary Reavey (by teleconference)

**STAFF PRESENT:** Alfred Hall, Jr., Becky Fry; Ruby Jefferson-Moore, Legal Counsel; Division of Enforcement Staff were present for portions of the meeting

**GUESTS:** Jarrod Peterson, Peterson Real Estate Services  
Debbi Conrad, Wisconsin Realtors Association

**CALL TO ORDER**

Rick Vozar, Chair, called the meeting to order at 9:34 a.m., upon confirmation that the public notice was timely given. A quorum of six members was present.

**AGENDA**

**MOTION:** Patrick Buckett moved, seconded by LaMarr Franklin, to adopt the agenda as published. Motion carried unanimously.

**MINUTES (2/23/00)**

**MOTION:** Gary Cuskey moved, seconded by Lill Hauschild, to approve the minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT**

**Deputy Secretary Conway's Report**

Deputy Secretary Conway introduced himself and welcomed the Board.

- **Appraiser Application Advisory Committee**

Alfred Hall updated the Board on the status of the Appraiser Application Advisory Committee.

**Bureau Director's Report**

- **Board Roster/Meeting Dates**

The Board indicated changes to the roster.

- **Regulatory Digest**

The Board reviewed the draft of the Regulatory Digest and indicated changes.

Alfred Hall indicated the addition of several items.

## **LEGISLATIVE ISSUES**

### **AB 529-Relating to Property Appraisals, Etc.**

Noted.

### **Senate Substitute Amendments to 1999 Senate Bill 251 – Relating to Property Appraisals for Homeownership Mortgage Loans**

Noted.

## **ADMINISTRATIVE RULES**

### **Proposed Rules Relating to Incorporating Current Version of USPAP**

Alfred Hall reviewed the progress of the proposed rules and the USPAP 2000 requirements.

Ruby Jefferson-Moore indicated that a public hearing could be held any time after May 24, 2000.

The Board discussed the timeline. The public hearing will be held on Thursday, May 25, 2000 at 1:30 p.m. Rick Vozar will represent the Board at the public hearing.

## **BOARD MEMBER ACTIVITY**

### **Appoint Public Member to Screening Panel**

Gary Cuskey was appointed as a member of the screening panel.

### **Appraisal Conference of the Wisconsin Realtors Association**

Alfred Hall reported on the overview given at the luncheon of the appraisal conference of the Wisconsin Realtors Association conference between the Department of Regulation and Licensing and the Real Estate Appraisers Board.

## **APPRAISAL SUBCOMMITTEE**

### **Sight Visit October 2000**

Rick Vozar reminded the Board that the Appraisal Subcommittee would be visiting the Board on October 18, 2000, to do the audit. He advised the Board to get determinations out as soon as possible on complaints.

Alfred Hall indicated that the Subcommittee will be reviewing discipline and applications from the last three years. He indicated that the Board would be receiving a more definitive report on what needs to be in place for the audit, at the August 23, 2000, meeting,

Deputy Secretary Conway encouraged the Board to apprise him of any concerns or questions they might have with the planning for the visit.

## **PRACTICE ISSUES**

Nothing to report.

## **APPRAISAL FOUNDATION**

### **USPAP Exposure Draft**

Ruby Jefferson-Moore explained that the draft in the agenda packet was a copy of the first draft.

Alfred Hall requested the Board's position regarding recommendations of the Association of Appraiser Regulatory Officials (AARO) in response to the draft. He will communicate the Board's position to AARO.

Members discussed issues relating to AARO recommendations.

### **USPAP Q & A, Vol. 2, No. 3; January and March 2000**

Nothing to discuss.

## **APPRAISER QUALIFICATIONS BOARD**

### **Property Flipping and Appraisal Fraud Survey**

Mary Reavey indicated that she is actively involved in the investigation of property flipping and she wrote up some complaints on flippers for possible disciplinary action. She also indicated that changes to USPAP relating to the review of appraisers were being actively pursued.

Ms. Reavey explained that she is alerting her appraisers that if they see something that may not be a valid transaction, to try to get a copy of the appraisal or closing documents as evidence, in the event a complaint is filed.

Ms. Reavey indicated that the Board should be taking a proactive approach to property flipping and appraisal fraud for the protection of the public.

Ruby Jefferson-Moore indicated that the Division of Enforcement would be completing the survey.

## **ASSOCIATION OF APPRAISER REGULATORY OFFICIALS**

### **Spring Conference**

Alfred Hall indicated that he had not yet received any information on the conference.

### **ASB Meeting**

No information has been received.

## **CORRESPONDENCE**

### **Discussions Relating to Appraisal Experience Obtained from the Performance of Limited Appraisals**

- **Letter from Mark Thieleke, 2/23/00, Mender**

The Board received a copy of the April 20, 2000 letter from R. Edward Dillman, regarding the Wisconsin Certified General Real Estate Appraiser application for Mark Thieleke.

- **Experience Requirement for a Certified General Appraiser License, 4/14/00, Thornton**

The Board received a copy of the April 14, 2000 letter from Edward S. Thornton, requesting an opportunity to speak at this meeting regarding 20% experience credit in the limited appraisals for certified general appraiser license.

Mr. Thornton joined the meeting by teleconference for this portion of the meeting.

Rick Vozar explained the limited appraisal reports and the 2055 and 2065 forms which are residential forms. He explained that these forms are limited appraisal reports or drive-by reports and indicated that rather than giving 100% experience credit for them, only 20% is given.

Mr. Thornton explained the use of the Uniform Agricultural Appraisal Report (UAAR), which is the standard form for agricultural properties, set up to be used as a complete report or a limited appraisal.

Mr. Vozar requested that Mr. Thornton forward a copy of the UAAR to the Board for review at the next meeting.

Ruby Jefferson-Moore indicated that there is still the issue of the departure provision even if the UAAR is a summary report.

### **Efforts to Proactively Curtail Property-Flipping, 1/10/00, Langley and Hagopian**

This issue was discussed earlier in the meeting.

## **NEW BUSINESS**

Nothing to report.

## **RECESS TO CLOSED SESSION**

**MOTION:** LaMarr Franklin moved, seconded by Mary Reavey, to convene the meeting in Closed Session pursuant to Sections 19.85(1)(b) and (f), Wis. Stats.: to consider the licensing or discipline of a person licensed by the Department or the investigation of charges against such a person. Specifically, to discuss the issue of case status reports, case closings, monitoring reports, deliberations on stipulations that may be signed after printing of the agenda, pending applications, and disciplinary proceedings. Motion carried by a roll call vote: LaMarr Franklin-yes; Patrick Buckett-yes; Gary Cuskey-yes; Mary Reavey-yes; Lill Hauschild-yes; Rick “Paul” Vozar-yes.

Closed Session convened at 10:45 a.m.

The Board deliberated on case status reports and final decision and order.

## **RECONVENE IN OPEN SESSION**

**MOTION:** Gary Cuskey moved, seconded by LaMarr Franklin, to reconvene in open session at 11:09 a.m.

## **VOTING ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION**

### **FINAL DECISION AND ORDER**

**MOTION:** Patrick Buckett moved, seconded by LaMarr Franklin, to adopt the Proposed Decision of the Administrative Law Judge, including the Findings of Fact, Conclusions of Law and Order, relating to Michael A. Schneider [LS9909291APP], except as follows: 1) Conclusions of Law. Under paragraph 1, Chapter 448, Wis. Stats., should read Chapter “458”. Create paragraph 3, to state that the “Respondent is in default”. 2) Order. Revise the first paragraph to state that “the license and the right to renew the license of the respondent, Michael A. Schneider, to practice as an appraiser in the state of Wisconsin shall be, and hereby is, revoked.” In the second paragraph of the proposed Order, change the name of the respondent from “Daniel N. Ketchum” to “Michael A. Schneider.” Motion carried unanimously.

**MOTION:** Gary Cuskey moved, seconded by LaMarr Franklin, to adopt the Administrative Law Judges Findings of Fact and Conclusion of Law and Order and Final Decision relating to LS 9910201 APP, Thomas J. Younk. Motion carried unanimously.

### **SUCH OTHER ITEMS AS AUTHORIZED BY LAW**

Rick Vozar reminded the Board to check their investigative cases.

## **ADJOURNMENT**

**MOTION:** Gary Cuskey moved, seconded by LaMarr Franklin, to adjourn the meeting at 11:12 a.m. Motion carried unanimously.

Next Meeting: June 28, 2000